

CERTIFICATE OF MAILING

I hereby certify that this RESPONSE is being deposited with the U.S. Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 8th day of December, 2003.

Typed or Printed name of person signing this certificate:

Pamela A. Docherty

Signed



Customer Number

24024

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Kaumaya, et al.

Serial No.: 09/632,036

Filed: August 3, 2000

For: **POLYPEPTIDES AND
POLYNUCLEOTIDES FOR
ENHANCING IMMUNE REACTIVITY
TO HER-2 PROTEIN**

Examiner: Rawlings, Stephen L.

Art Unit: 1642

Confirmation No.: 9722

Attorney Docket No.: 18525/04011

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the Restriction Requirement mailed August 5, 2003, Applicants hereby elect Group I, Claims 1, 3-9, 11-20 and 31 insofar as the claims are drawn to a composition comprising a chimeric peptide. With respect to the election of species for claim 1, Applicants elect the HER-2 B cell epitope of SEQ ID NO. 10. With respect to the Th epitope of claims 4 and 13, Applicants hereby elect SEQ ID NO. 17. With respect to the linker sequence, Applicants hereby elect SEQ ID NO. 20. With respect to the two or more HER-2 B cell epitopes of claim 6, Applicants hereby elect SEQ ID NO. 6 and SEQ ID NO. 42. With respect to the CTL epitope of claim 9, Applicants hereby elect SEQ ID NO. 36. With respect to CTL epitopes of different classes of claim 11 and the four or more CTL epitopes of claim 12, Applicants hereby elect the following: class HLA-A3, SEQ ID NO. 23; class HLA-B7, SEQ ID No. 31; class HLA-A2, SEQ ID NO. 36; and class HLA-B27, SEQ ID NO. 37. With respect to the 2 or more HER-2

CTL epitopes of claim 18, Applicants hereby elect SEQ ID NO. 36 and SEQ ID NO. 40. The election is without traverse.

Respectfully submitted,

Date: December 8, 2003

By: Pamela A. Docherty
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